

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	CASE NO. 2-17-cr-00359-RFB-EJY
)	
Plaintiff,)	
v.)	
)	<u>VIDEO TELEPHONE</u>
EFRAIN GARCIA-MEDINA,)	<u>CONFERENCE & TELEPHONE</u>
)	<u>CONFERENCE APPEARANCE</u>
Defendant(s).)	<u>ORDER</u>
_____)	

In Response to General Order 2020-5 by the Chief Judge of this District in which she has specifically authorized video teleconferences and telephone conferences pursuant to Section 15002(b) of the CARES Act, this Court has reviewed the record in this case and finds pursuant to Section 15002(b) that delay of the Change of Plea and Sentencing hearing until an in-person hearing can be safely arranged would do harm to the interests of justice as the Defendant could be subject to a longer period of pretrial detention and incarceration for the Defendant.

Accordingly,

IT IS ORDERED that a Video Conference of the Change of Plea and Sentencing Hearing is set for **April 2, 2020 at 11:15 a.m.** before this Court.

IT IS FURTHER ORDERED that the parties shall file a sentencing memorandum by **10:00 a.m. on April 2, 2020** which shall include the respective party's understanding of the criminal history of the Defendant and their sentencing argument.

IT IS FURTHER ORDERED that members of the may access and listen to this proceeding by telephone. Members of the public who want to listen to this hearing must *call AT&T no later than five (5) minutes prior to the hearing at 1 (877) 336-1827, and provide Access Code 3616356.* Members of the public are not permitted to speak while listening to this proceeding.

IT IS FURTHER ORDERED that no one or entity or organization, including but not limited to counsel, counsel's agents or staff, the Defendant, law enforcement agents/officers, members of the public, who participate in or listen to this proceeding may record it in any manner. Any individual, entity or organization that records this proceeding without written authorization of the Court shall be subject to civil and/or criminal contempt penalties by this Court.

IT IS FURTHER ORDERED that defense counsel shall provide all necessary documents to the defendant in advance of the hearings, including the Court's standard waiver of in person appearance form.

IT IS FURTHER ORDERED that defense counsel shall contact the Courtroom Administrator at "blanca_lenzi@nvd.uscourts.gov" or (702) 454-5470 with information on how the defendant will participate in the video conference. If the defendant will be appearing at the hearing using his/her own equipment, the defense counsel must confirm with the Courtroom Administrator that the defendant's equipment is compatible with the Court's conference technology. Defense counsel must also provide the defendant's email address to facilitate the remote connection and the defendant's phone number in the event of any technical difficulties.

IT IS FURTHER ORDERED that the parties shall file any necessary signed documents at least ONE (1) Day prior to the scheduled hearing consistent with General Order 2020-05.

DATED: April 1, 2020.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE